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Consular
Convention**JOHNSON RATIFIES
CONSULAR TREATY****Signs Instruments Without
Ceremony—Similar Soviet
Action Expected Soon****By MAX FRANKEL**

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WASHINGTON, March 31—

Without comment or ceremony, President Johnson ratified today a consular convention with the Soviet Union. It is the first bilateral treaty with Moscow since the Bolshevik revolution 50 years ago.

Seated at his desk in the White House with only a few reporters, cameramen and aides present, Mr. Johnson signed the instruments of ratification proclaiming his acceptance of the convention.

The Senate gave the required two-thirds vote of consent to ratification March 16 by a margin of 66 to 28.

Ratification by the Soviet Union, a mere formality, is expected soon. The convention will take effect on the 30th day after the exchange of ratification instruments, or papers.

When the convention was signed in Moscow on June 1, 1964, it stipulated that this exchange "shall take place in Washington as soon as possible." But the Presidential election that year, the intensification of the war in Vietnam, the apparent opposition of J. Edgar Hoover of the Federal Bureau of Investigation and the Administration's fear of losing the advise-and-consent vote in the Senate delayed the treaty this year.

Over the years, right-wing organizations vigorously lobbied against the treaty, so that for both opponents and proponents it became something of a symbol of hopes and fears about normalizing relations with the Soviet Union.

It also became something of

Continued on Page 11, Column 1

a symbol to the Soviet Government—a test of whether the Johnson Administration was really interested in doing not only consular but also commercial business.

In content, however, the convention is relatively modest. It permits but does not automatically provide for negotiations leading to the re-establishment of consulates outside the capitals of the two nations. It grants diplomatic protection to the consular offices and immunity from arrest to the consular officials.

It describes the traditional functions of consuls and authorizes them to promote commercial, economic, cultural and scientific relations between the two societies.

Notice of Arrests

In what the Administration regarded as an important feature, the convention also requires that consulates be informed of the arrest of any of their country's citizens within 72 hours and that they be granted immediate and continuing access to persons under detention. Such notice and access has usually been given to the Soviet authorities in the United States but has not always been reciprocated by the Soviet Government.

It was the immunity feature that provoked the original opposition here. Mr. Hoover let it be known that he thought most or all of the Soviet consular officials would engage in some form of espionage, risking only expulsion from the United States.

Another wave of opposition involved the argument that the middle of a war in which the Soviet Union and the United States were supporting opposing Vietnamese forces was no time for acts of diplomatic courtesy.

Treaty Delayed

Faced with this opposition, Mr. Johnson delayed Senate consideration of the treaty until early this year. Then he obtained from Mr. Hoover a statement that the bureau could easily cope with the additional Soviet personnel that might be admitted to the United States with immunity.

The President also argued that the process of accommodation with the Soviet Union should continue during the war in Vietnam.

Privately, the Administration indicated that the opening of an American consulate in Lenin grad or some other Soviet city would give the United States as much or more of an advance in observation as the Rus-

consulate in, say, Chicago. The Administration may also have won some support in the Senate by promising not to open any new consulates immediately.

Of a series of amendments to the convention offered in the Senate, the largest favorable vote was for an "understanding" expressing the hope that no consulates would be opened until the war in Vietnam had been honorably settled. It was defeated by a margin of 51 to 38.

During Senate consideration of the convention, the President issued one public endorsement of the treaty but remained generally in the background, directing a low-key campaign for acceptance that was sustained right through today's ratification routine.